

Original filed 6/7/06

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8 NOT FOR CITATION
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 ARTHUR E. MENDEZ,) No. C 06-0743 JF (PR)
12)
13 Petitioner,) ORDER OF DISMISSAL
14)
15 vs.)
16 SANTA CLARA COUNTY,)
Respondent.)
_____)

17
18 Petitioner, a state prisoner proceeding pro se, filed a letter with the Court
19 requesting an extension of time to file a petition for a writ of habeas corpus on February
20 2, 2006. On that same day, the Court sent a notification to Petitioner informing him that
21 he had neither paid the filing fee nor submitted a completed application for leave to
22 proceed in forma pauperis. The Court provided a copy of the correct in forma pauperis
23 application, along with a return envelope, and a notification that the case would be
24 dismissed if Petitioner failed to pay the fee or file the completed application within thirty
25 days.

26 On February 15, 2006, the Court sent a second notification to Petitioner informing
27 him that he had not filed a petition or pleading in the instant action. The Court notified
28 Petitioner that if he did not submit a petition or complaint within thirty days the action

1 would be dismissed and the file closed.

2 As of the date of this order, Petitioner has not filed a petition or application to
3 proceed in forma pauperis, nor paid the filing fee. Accordingly, the instant habeas action
4 is dismissed without prejudice for failure to prosecute this matter pursuant to Fed. R. Civ.
5 P. 41(b).

6 IT IS SO ORDERED.

7 DATED: 6/7/06


JEREMY FOGEL
United States District Judge

1 This is to certify that a copy of this ruling was mailed to the following:

2 Arthur E. Mendez
3 T-21071
4 CSP -Los Angeles County
4 44750 60th Street West
5 Lancaster, CA 93536-7620
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